

AN ORDINANCE 2006-03-23-0368

**CLOSING, VACATING, AND ABANDONING A PORTION OF
EARL STREET LOCATED BETWEEN NEW CITY BLOCKS
7305 AND 7306 IN DISTRICT 1, AS REQUESTED BY STEVE
RAMIREZ, IN CONSIDERATION OF \$5,755.00.**

* * * * *

WHEREAS, Steve Ramirez has petitioned the City to close, vacate, and abandon the affected segment of Earl Street; and

WHEREAS, the affected segment of Earl Street is at the end of a deadend and has been fenced off from public use during the recent past without incident or complaint; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Subject to the reservation below, the City finds the following right-of-way surplus to its needs and closes, vacates, and abandons it:

A portion of Earl Street located between New City Blocks 7305 and 7306 and more particularly described on **Exhibit A**, which is incorporated into this ordinance by reference for all purposes as if it were fully set forth.

SECTION 2. This ordinance does not release any public rights in the subject tract for drainage, water and wastewater lines, electric transmission lines, communication lines of all types, or any other rights except for the right of the public to travel on the subject tract.

SECTION 3. The City Manager or her designee is authorized and directed to execute and deliver all documents and to do all other things necessary or convenient to reflect this closure, abandonment, and vacation.

SECTION 4. Because the segment closed is the end of a deadend street and has been fenced from public use for some time, the City Council waives the requirement of City Ordinance 96507 (October 3, 2002) to mail notices of the proposed closure to nearby residents.

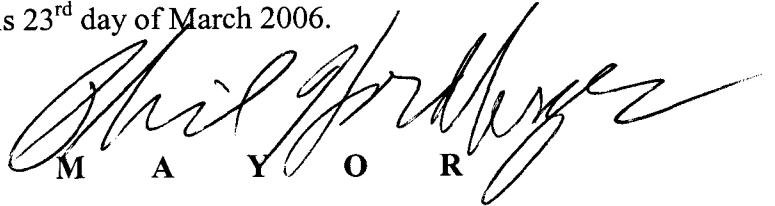
SECTION 5. Funds in the amount of \$5,755 are to be deposited into Fund 29027000, Special Reserve Fund, Internal Order 224000000010, SALE OF LAND, General Ledger 4903101, Sales-Land, when received.

SECTION 6. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager, or the City Manager's designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP

Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

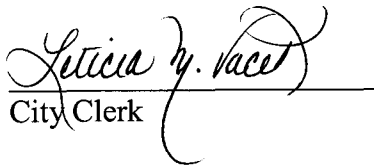
SECTION 7. This ordinance becomes effective April 2, 2006.

PASSED AND APPROVED this 23rd day of March 2006.

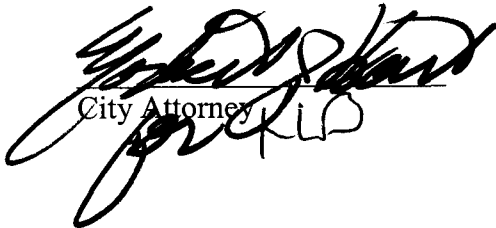

M A Y O R

Attest:

PHIL HARDBERGER


City Clerk

Approved As To Form:


City Attorney

Agenda Voting Results

Name: 4.

Date: 03/23/06

Time: 09:55:45 AM

Vote Type: Multiple selection

Description: Public hearing and consideration of an ordinance closing, vacating, and abandoning a portion of Earl Street located between New City Blocks 7305 and 7306 in District 1, as requested by Steve Ramirez, in consideration of \$5,755.00. [Presented by Shawn Eddy, Interim Director, Asset Management; Erik J. Walsh, Assistant City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

Exhibit A

CASH SURVEYING INC.
5950 TEMERITY WAY
BULVERDE, TEXAS 78163
(210) 496-1175

FIELD NOTES
FOR

A 0.097 Acre Tract of Land situated in the City of San Antonio, Bexar County, Texas, being out of Earl Street, as Recorded in the Map of Kenwood Addition to Laurel Heights, Volume 105, Pages 48-49, Deed and Plat Records, Bexar County, Texas, said 0.097 Acres being further described as follows: (note: all set corners are 1/2" rebar with a yellow plastic cap marked "CASH SURVEYING 5753")


BEGINNING: At a set 1/2" iron pin in the South R.O.W. line of Earl St. for the Southeast corner of this Tract, said point bears S 89° 32' 08" W a distance of 85.57 feet from a found PK nail being the Northeast corner of Lot 21, Block 16, N.C.B. 7305, as recorded in Volume 3306, Page 1408, Deed Records of Bexar County, Texas:

THENCE: S 89° 32' 08" W along the South R.O.W. line of Earl St., and the North line of said Lot 21, a distance of 87.10 feet to a set 1/2" iron pin for the Southwest corner of this Tract, said point also being in the North line of Lot 18, Block 16, N.C.B. 7305, Kenwood Addition to Laurel Heights, as recorded in Volume 105, Pages 48-49, Plat Records of Bexar County, Texas, also being in the Southeast line of the Union Pacific Railroad R.O.W.;

THENCE: N 28° 21' 24" E along the Westerly R.O.W. of Earl St. and the Southeast line of the Union Pacific Railroad, a distance of 68.48 feet to a set 1/2" iron pin in the North R.O.W. line of Earl St. for the Northwest corner of this Tract, said point also being the Southwest corner of Lot 29, Block 15, N.C.B. 7306, Kenwood Addition to Laurel Heights, Volume 5300, Page 76, Plat Records of Bexar County, Texas:

THENCE: Leaving the Southeast line of the Union Pacific Railroad, N 89° 32' 08" E along the North R.O.W. line of Earl St. a distance of 54.09 feet to a set 1/2" iron pin for the Northeast corner of this Tract;

THENCE: Leaving the North R.O.W. line of Earl St. and the South line of said Lot 29, S 00° 27' 52" E a distance of 60.00 feet to the POINT OF BEGINNING and containing 0.097 Acres Surveyed by Cash Surveying Inc. on January 5, 2006.


Joseph H. Cash II Registered Professional Land Surveyor No. 5753
Job No. 06-004, 0.097 acres, drawing prepared

